

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

TIMOTHY WAYNE STEPHENS

PLAINTIFF

V.

CIVIL ACTION NO. 3:13CV912 DPJ-FKB

SHERIFF JAMES R. MOORE, SR.
AND WARDEN JOHNNY CROCKETT

DEFENDANTS

ORDER

This § 1983 action is before the Court on the Report and Recommendation [24] of Magistrate F. Keith Ball. In this suit, Plaintiff Timothy Wayne Stephens challenged the conditions of his confinement as a pretrial detainee.¹ On December 18, 2013, Magistrate Judge Ball held an omnibus hearing, which Stephens failed to attend. As a result, Judge Ball recommends that this action be dismissed without prejudice for failure to prosecute. Stephens has not filed an Objection to the Report and Recommendation [24], and the time to do so has now passed.

Accordingly, the Court finds that the unopposed Report and Recommendation [24] should be adopted as the opinion of this Court. This action is dismissed without prejudice.

A separate judgment will be entered.

SO ORDERED AND ADJUDGED this the 14th day of January, 2014.

s/ Daniel P. Jordan III

UNITED STATES DISTRICT JUDGE

¹ Stephens is no longer incarcerated.